

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**In re:** :  
: **Case No.: 18-10643**  
**Tatyana Mazik** : **Chapter 13**  
: **Judge Eric L. Frank**  
**Debtor(s).** : \* \* \* \* \*

**OBJECTION TO DEBTOR'S CHAPTER 13 PLAN**

Now comes Wells Fargo Bank, N.A. ("Creditor") by and through its attorneys, Manley Deas Kochalski LLC, and files this Objection to Debtor's Chapter 13 Plan, averring as follows:

1. Creditor is a creditor herein secured by a mortgage lien upon the Debtor's real estate located at 9926 Haldeman Ave., # 22, Philadelphia, PA 19115. Creditor has filed proof of claim number 1 for the subject mortgage loan in the amount of \$47,378.43.
2. Debtor's Chapter 13 Plan does not list Creditor's subject mortgage loan as a secured claim and makes no provision for the maintenance of post-petition payments. Creditor asserts that Debtor still holds an interest in the property. As such, Creditor requests that the Plan be amended to provide for Creditor's claim or to surrender said interest.
3. Creditor objects to said treatment and asserts that, as of the petition date herein, Creditor's claim was fully secured by value in the real estate. Accordingly, § 1322(b)(2) of the Bankruptcy Code and the United States Supreme Court's holding in Nobleman v. American Savings Bank (In re: Nobleman), 508 U.S. 324 (1993) prohibit the Debtor's proposed modification of Creditor's mortgage.

WHEREFORE, Creditor respectfully requests the Court to deny confirmation of the Debtor's proposed Chapter 13 Plan.

Respectfully submitted,

/s/ Karina Velter

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Karina Velter, Esquire (94781)

Kimberly A. Bonner (89705)

Adam B. Hall (323867)

Sarah E. Barngrover (323972)

Manley Deas Kochalski LLC

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Attorneys for Creditor

The case attorney for this file is Karina Velter.

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing Objection to Debtor's Chapter 13 Plan was served on the parties listed below via e-mail notification:

United States Trustee, Office of the U.S. Trustee, 833 Chestnut Street, Suite 500,  
Philadelphia, PA 19107

William C. Miller, Chapter 13 Trustee, Chapter 13 Trustee, P.O. Box 1229, Philadelphia, PA  
19105

David A. Scholl, Attorney for Tatyana Mazik, 512 Hoffman Street, Philadelphia, PA 19148,  
judgescholl@gmail.com

The below listed parties were served via regular U.S. Mail, postage prepaid, on April 16,  
2018:

Tatyana Mazik, 1269 Waller Dr., Huntingdon Valley, PA 19006

Tatyana Mazik, 9926 Haldeman Ave Apt 22, Philadelphia, PA 19115

DATE: 4/16/18

/s/ Karina Velter

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